

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

GEORGE PERROT,)
Plaintiff,)
v.) Civil Action No. 18-CV-10147-DPW
ESTATE OF THOMAS KELLY,)
et al.,)
Defendants.)

)

**DEFENDANTS' FRANCIS BLOOM, INDIVIDUAL SPRINGFIELD DEFENDANTS
AND THE CITY OF SPRINGFIELD'S ASSENTED TO MOTION
TO STAY DISCOVERY PENDING DECISION
ON THEIR MOTIONS TO DISMISS**

Now come the Defendants, Frances Bloom, Estate of Thomas Kelly, Cheryl Clapprood, Ronald St. Germain, Marianne Popko, Paul Glantz, Thomas Kennedy, and Thomas Jarvis and the City of Springfield and move this Court to stay discovery deadlines pending decision on their Renewed Motions to Dismiss the Amended Complaint (Docket Entries 137, 140, 142). This Court denied the above defendants' initial motions to dismiss and allowed limited discovery to determine who the appropriate defendants are. The plaintiff filed an Amended Complaint on May 23, 2019 (Docket Entry 126).

Defendants initially filed their original Motions to Dismiss on March 28, 2018. On February 5, 2019, this Honorable Court granted a Motion to Stay Discovery and Proceed with Mediation before Kenneth Neiman, J. In accordance with this Court's Order, Mediation efforts began on April 16, 2019 and discovery was stayed until the completion of Mediation or until May 1, 2019 (Dkt. 112). On May 2, 2019, Kenneth Neiman, J. issued his Mediation Order

referring the matter back to this Honorable Court stating “further efforts to settle this matter are ... unlikely to be productive.” Accordingly, this Court instructed all parties to file renewed Motions to Dismiss.

Thereafter, Defendants filed their Renewed Motions to Dismiss with this Court (Docket Entries 137, 140, 142). The Court marked up a hearing on said motions for September 4, 2019. This Court allowed the motion to dismiss as to the FBI Defendants (Dkt. 166). This Honorable Court has not yet ruled on the remaining defendants’ Motions to Dismiss.

Therefore, the above defendants feel that it is reasonable to stay all further discovery in this matter pending the outcome of the Motions to Dismiss, as fact discovery closes on November 1, 2019 and this litigation is complex, involves numerous Defendants and will likely involve multiple depositions and written discovery yet to be conducted. Due to the fact that several of the Defendants have not yet engaged in or conducted discovery with the Plaintiff and because the Motions to Dismiss are still pending, the above defendants request a ninety-day extension from the date of any denial of the pending motions to dismiss.

The above defendants have consulted with plaintiff’s counsel, Tara Thompson, and she assents to this motion.

WHEREFORE, Defendants Frances Bloom, Estate of Thomas Kelly, Cheryl Clapprood, Ronald St. Germain, Marianne Popko, Paul Glantz, Thomas Kennedy, and Thomas Jarvis and the City of Springfield respectfully request that the Court stay discovery deadlines pending decisions on the motions to dismiss filed by these parties.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that this document was filed through the ECF system on November 1, 2019. It will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF).

/s/ Susanne G. Reardon
Susanne Reardon